

## SPECIAL PROCESSING SUBMISSION

<b>32692</b> Customer Number	<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR § 1.137(b)</b>	Case No.: 57630US004
Attention: Office of Petitions Mail Stop Petition  Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX: 571-273-8300	First Named Inventor: SCHUKAR, GARY W.	
	Application No: 10/797758	Filed: March 9, 2004
	Title: METHOD FOR CONVERTING A FUEL CELL MEMBRANE WEB TO PRECISELY POSITIONED MEMBRANE SHEETS	
	Confirmation No.:	4235

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office Notice or Action plus any extensions of time actually obtained. APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee — required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

- (1) ☒ Any required fee under 37 CFR § 1.17(m) will be paid at the time of EFS-Web submission. In the event fees are not or cannot be paid at the time of EFS-Web submission, please charge any fees under 37 CFR § 1.17 which may be required to Deposit Account No. 13-3723.
- ☐ Please charge the fee provided in 37 CFR § 1.17(m) to Deposit Account No. 13-3723. One copy of this sheet marked duplicate is also enclosed.
- ☒ Please charge any additional fees associated with the prosecution of this application to Deposit Account No. 13-3723. This authorization includes the fee for any necessary extension of time under 37 CFR § 1.136(a). To the extent any such extension should become necessary, it is hereby requested
- ☒ Please credit any overpayment to the same deposit account.

(2) Reply

- A. The reply to the Office Action dated May 31, 2007 in the form of a Notice of Appeal (identify type of reply): ☐ has been filed previously on \_\_\_\_\_.  
☒ is enclosed herewith.

B. The issue fee of \$\_\_\_\_\_:

- ☐ has been paid previously on \_\_\_\_\_. Copies of the Issue Fee Transmittal form and postcard receipt are enclosed.

(3) Terminal disclaimer with disclaimer fee

- ☒ Since this utility application was filed on or after June 8, 1995, no Terminal disclaimer is required.
- ☐ A Terminal Disclaimer (and disclaimer fee) disclaiming the required period of time is enclosed.

- (4) STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR § 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR § 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

1/31/08  
Date: January 31, 2008

By: 

Philip Y. Dahl, Reg. No.: 36,115  
Attorney/Agent of Record  
Telephone No.: 651-737-4029

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
Facsimile No.: 651-736-3833

Enclosures: ☐ One copy of this sheet marked duplicate is also enclosed.  
☒ Notice of Appeal  
☐ Terminal disclaimer  
☐ Additional sheets containing statements establishing unintentional delay  
☒ Other: Affidavit by US Docket Coordinator, Jeanette R. Dishno, and  
Docket History Report

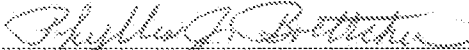
**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]**

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-0025.  
☒ transmitted to United States Patent and Trademark Office on the date shown below via the Office electronic filing system.

January 31, 2008

Date: January 31, 2008



Signed by: Phyllis J. Boettcher

**AFFIDAVIT OF JEANETTE R. DISHNO IN SUPPORT OF PETITION TO  
WITHDRAW HOLDING OF ABANDONMENT**

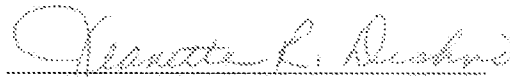
STATE OF MINNESOTA   )  
  ) SS.  
COUNTY OF RAMSEY    )

I, Jeanette R. Dishno, of Hudson, WI, being duly sworn, depose and say as follows:

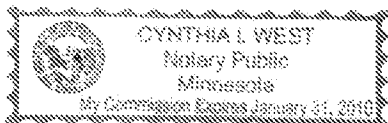
1. I have been employed at 3M Innovative Properties Company, a wholly-owned subsidiary of 3M Company, Saint Paul, Minnesota, since December 15, 1997. My present position is US Docket Coordinator in the 3M Office of Intellectual Property Counsel (OIPC), and I have been in the position for ten (10) years.

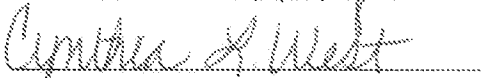
2. As US Docket Coordinator, part of my job is to enter docket action due dates on the 3M computerized docket system for papers due in the U.S. Patent and Trademark Office. I hereby verify that the enclosed Docket History Report for application Serial No.10/797,758 is the true and correct copy of a printout from the 3M computerized docket system.

Further deponent sayeth not.

  
\_\_\_\_\_  
Jeanette R. Dishno

Sworn to and subscribed before me this 30 day of January, 2008.



  
\_\_\_\_\_  
Cynthia L. West  
Notary Public

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## Country Application

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Tuesday, December 18, 2007

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Case Number: 57630US004

Country: US

Parent Case Number: 57630US002

United States of America

Priority Case Number: 57630US002

Case Type: DIV

Application Status: Pending

Status Date: 09-Mar-2004

Application Number: 10/797758

Filing Date: 09-Mar-2004

Publication Number:

Publication Date:

Patent Number:

Issue Date:

Priority Appl. Number: 10/115537

Priority Filing Date: 03-Apr-2002

Priority Patent Number: 6740131

Priority Issue Date: 25-May-2004

Tax Schedule: LE

Expiration Date:

Foreign Filing License Date: 26-May-2004

Confirmation Number: 4235

Patent Term Adjustment: 0

Terminal Disclaimer: ☐

Secrecy Order: ☐

Government Rights: ☐

Agent:

Agent Reference #:

## Country Application

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### List Of Actions

Action(s) Due	Due Date	Indicator	Action Taken	Date Taken
Information Disclosure Stmt	09-Jun-2004	Due Date	Yes	04-May-2004
Submit Cited Art - PCT - 1 Mo.	27-Aug-2004	Reminder	No	13-Sep-2004
Submit Cited Art - PCT - 3 Mo.	27-Oct-2004	Due Date	No	05-Nov-2004
Submit Cited Art - EP - 1 Mo.	18-Feb-2005	Reminder	No	10-Mar-2005
Submit Cited Art - EP - 3 Mo.	18-Apr-2005	Due Date	No	10-Mar-2005
Submit Cited Art - 1 mo.	19-Jan-2006	Reminder	No	03-Jan-2006
Submit Cited Art - 3 mo.	20-Mar-2006	Due Date	No	03-Jan-2006
Election Due Date	01-Sep-2006	Due Date	Yes	27-Aug-2006
Submit Cited Art - 1 mo.	07-Sep-2006	Reminder	No	24-Aug-2006
1st Extension	01-Oct-2006	Reminder	No	27-Aug-2006
2nd Extension	01-Nov-2006	Reminder	No	27-Aug-2006
Submit Cited Art - 3 mo.	08-Nov-2006	Due Date	No	24-Aug-2006
Cross-cite 892 Art?	28-Nov-2006	Due Date	No	06-Apr-2007
3rd Extension	01-Dec-2006	Reminder	No	27-Aug-2006
3 Month Due Date	28-Dec-2006	Due Date	Yes	26-Mar-2007
Statement of the Interview	28-Dec-2006	Due Date	Yes	26-Mar-2007
4th Extension	01-Jan-2007	Reminder	No	27-Aug-2006
1st Extension	28-Jan-2007	Reminder	No	26-Mar-2007
Final Deadline	01-Feb-2007	Final	No	27-Aug-2006
2nd Extension	28-Feb-2007	Reminder	No	26-Mar-2007
6 Month Final Date	28-Mar-2007	Final	Yes	26-Mar-2007

User ID: US079368

Date Created: 09-Mar-2004

Last Update: 30-Mar-2007